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To: U.S Patent Office

Fax No.: 703-872-9306

No. of Pages: 8

Serial No.: 09/761,375

Subject: Supplemental Response

Our File No.: 11675.163.2

Sender: William J. Athay

Date: November 14, 2003

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PATENT APPLICATION
Docket No. 11675.163.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

NOV 14 2003

Terry N. Williams

Serial No.: 09/761,375

) Art Unit
) 2882

Filed: January 16, 2001

)

For: BUFFERED RESIST PROFILE ETCH OF A
FIELD EMISSION DEVICE STRUCTURE

)

Examiner: Jurie Yun

)

Confirmation No.: 5328

)

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the following documents are being transmitted by facsimile to the Patent and Trademark Office at Fax No. (703) 872-9306 on the 14th day of November 2003.

- Transmittal for Supplemental Response (2 pages)
- Supplemental Response (2 pages)
- Terminal Disclaimer (2 pages)

Respectfully submitted,


WILLIAM J. ATHAY
Attorney for Applicant
Registration No. 44,515
Customer No. 022901

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PATENT APPLICATION
Docket No. 11675.163.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Terry N. Williams)	
Serial No.:	09/761,375) Art Unit
Filed:	January 16, 2001) 2882
For:) BUFFERED RESIST PROFILE ETCH OF A	
) FIELD EMISSION DEVICE STRUCTURE	
Examiner:	Jurie Yun)
Confirmation No.:	5328)

TRANSMITTAL FOR SUPPLEMENTAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is a supplemental response for entry in the above-identified application. Also enclosed are the following:

- A Certificate of Facsimile Transmission
- Terminal Disclaimer

Commissioner for Patents
Page 2

x The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 23-3178. A duplicate copy of this letter is attached.

x Any filing fees under 37 CFR 1.16 for the presentation of extra claims.

x Any patent application processing fees under 37 CFR 1.17.

Dated this 14th day of November 2003.

Respectfully submitted,


WILLIAM J. ATHAY
Attorney for Applicants
Registration No. 44,515
Customer No. 022901

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PATENT APPLICATION
Docket No. 11675.163.2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re application of:

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NOV 14 2003

Terry N. Williams

1

Serial No.:

Art Unit

2882

Filed:

January 16, 2001

1

Fore

BUFFERED RESIST PROFILE ETCH OF A FIELD EMISSION DEVICE STRUCTURE

1

Examiner:

2

Confirmation No.:

1

SUPPLEMENTAL RESPONSE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to a telephonic conference conducted with Examiner Julie Yun on November 14, 2003, please enter this Supplemental Response and attached Terminal Disclaimer into the file of the above-identified application.

PAGE 5/8 * RCVD AT 11/14/2003 3:47:39 PM [Eastern Standard Time] * SVR:USPTO-EFXRF-1/4 * DNIS:8729306 * CSID:18013281707 * DURATION (mm:ss):02-16

Interview Summary

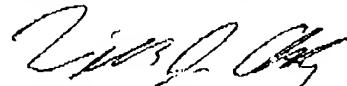
A telephonic interview was conducted between Examiner Jurie Yun and William Athay, attorney for Applicant, on November 14, 2003. In the interview, Examiner Jurie Yun indicated that Claims 9-20 are allowed and Claims 1-8 stand rejected under the judicially created doctrine of obviousness-type double patenting over claims 1-8 of U.S. Patent No. 6,175,184 B1 in view of U.S. Patent No. 5,663,608 to Jones et al.

As agreed upon with the Examiner, Applicant has submitted herewith a terminal disclaimer to overcome the double patenting rejection of the claims. Accordingly, Applicant respectfully requests that the rejection of claims 1-8 under the judicially created doctrine of obviousness-type double patenting be withdrawn.

In view of the foregoing, Applicant respectfully requests the prompt allowance of the present application. In the event the Examiner finds any remaining impediment to allowance of this application that could be clarified by a telephone interview, the Examiner is respectfully requested to contact the undersigned attorney.

Dated this 14th day of November 2003.

Respectfully submitted,



William J. Athay
Attorney for Applicant
Registration No. 44,515
Customer No. 022901

Attachment: Terminal Disclaimer

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